

# SECTION VI

## RCRA AND ITS RELATIONSHIP TO OTHER ENVIRONMENTAL STATUTES

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### OVERVIEW

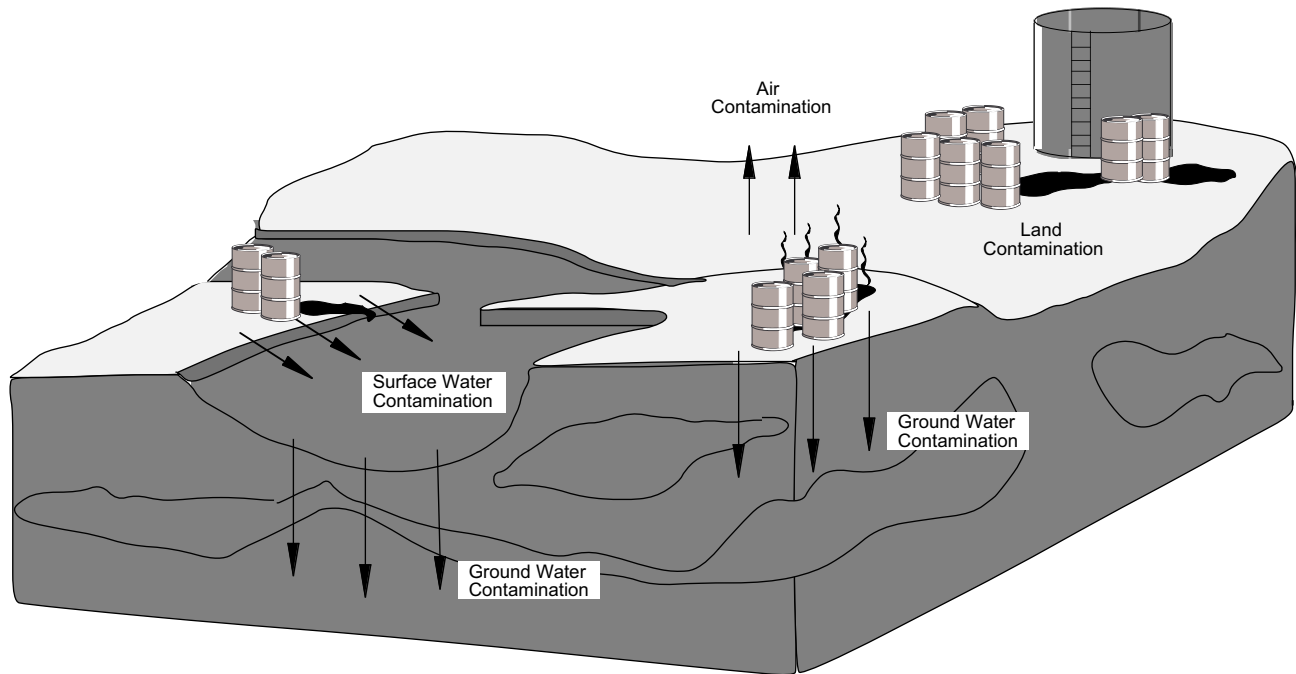
EPA's mission is to protect human health and the environment. In order to further this mission, Congress has enacted many environmental laws to address releases, or threats of releases, of hazardous constituents. An understanding of these laws is necessary to determine where RCRA fits into the national environmental protection program established by Congress and implemented by EPA. Each environmental statute has its own particular focus, whether it is controlling the levels of pollutants introduced into a single environmental medium (i.e., air, soil, or water) or addressing a specific area of concern, such as pesticides or waste cleanup.

While the segmentation of environmental issues simplifies the drafting of legislation, it complicates the implementation of environmental protection regulations. The media-, practice-, and

chemical-specific boundaries established in the nation's environmental statutes are often artificial. Many different types of practices may be responsible for the release into the environment of the same contaminant. Moreover, individual contaminants are not confined to specific media (see Figure VI-1). Volatile organic compounds, such as benzene or toluene can be released into and contaminate the air, soil, and water. Additionally, uncontrolled pollutants may travel long distances by natural means and change physically, affecting multiple media. Therefore, a media- or contaminant-specific approach cannot fully address the magnitude and complexities of the waste management problem. This section introduces each of these environmental protection statutes and highlights their differences from RCRA.

Many of these statutes interact closely and even overlap with RCRA. In order to avoid overregulation of industry and coordinate environmental protection laws, Congress required that EPA, when promulgating RCRA regulations, ensure consistency with and avoid duplication of regulatory provisions promulgated under other environmental statutes.

One statute in particular, CERCLA or Superfund, has a close-fitting relationship with RCRA. Both programs are similar in that their primary purpose is to protect human health and the environment from the dangers of hazardous

**Figure VI-1: MULTI-EXPOSURE PATHWAYS**

waste. However, these statutes address the hazardous waste problem from two fundamentally different approaches:

- RCRA has a regulatory focus and authorizes control over the management of wastes from the moment of generation until final disposal.
- CERCLA has a response focus. Whenever there has been a breakdown in the waste management system (e.g., a release or a potential threat of a release of a hazardous substance, pollutant, or contaminant), CERCLA authorizes cleanup actions.

Considering the close relationship and similarities between RCRA and CERCLA, this section will closely examine the CERCLA regulatory program and its interaction with RCRA.

This section consists of two chapters:

- Legislative Framework for Addressing Hazardous Waste Problems — Outlines the environmental statutes designed to protect human health and the environment from exposure to hazardous waste and contaminants and highlights their major interactions with RCRA
- Superfund: The Hazardous Waste Cleanup Program — Focuses on one crucial aspect of this legislative framework, the CERCLA hazardous waste cleanup program and its interactions with RCRA.